

### **REMARKS/ARGUMENTS**

Upon entry of the present amendment, claims 1-3, 5-8, 15-16, 18-19, 21-23 and 25-27 are pending.

The amendments to claims 1 and 27 to recite that the claimed formulations contain diphosphatidyl choline (DPPC) in addition to the recited GLP-1 compounds finds support in the Example on page 26 of the application. These amendments add no new matter.

### **OBVIOUSNESS-TYPE DOUBLE PATENTING REJECTION OF THE CLAIMS**

Claims 1 and 27 are rejected under the doctrine of obviousness-type double patenting over claims 48, 49 and 54 of copending application 09/772,607 ("the '607 application").

In reply, Applicants submit that this rejection is rendered moot by the amendments to claims 1 and 27 presented herewith as the pending claims are now directed to formulations suitable for pulmonary administration where such formulations comprise diphosphatidyl choline (DPPC) and a GLP-1 compound which has a lipophilic substituent of 14-18 carbon atoms attached to any amino acid of the GLP-1 compound.

### **REJECTION OF THE CLAIMS UNDER 35 U.S.C. §102 REJECTIONS**

A. The Examiner has rejected claims 1-3, 5-8, 15-16, and 18-19 under 35 U.S.C. §102(b) as being anticipated by Knudsen et al. (USPN 6,268,343).

In reply, Applicants submit that this rejection is rendered moot by the amendments to the claims presented herein.

B. The Examiner has rejected claims 21-23 and 25-27 under 35 U.S.C. §102(b) as being anticipated by Hughes et al. (USPN 6,720,407).

In reply, Applicants submit that this rejection is rendered moot by the amendments to the claims presented herein.

In view of the above amendments and remarks, it is respectfully submitted that the application is now in condition for allowance and issue. The Commissioner is hereby authorized to charge any fees in connection with this application and to credit any overpayments to Deposit Account No. 14-1447. The Examiner is invited to contact the undersigned by telephone if there are any questions concerning this amendment or application.

Respectfully submitted,

Date: August 13, 2007

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